

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

5. That I have sent a letter to Mr. Ezagui confirming my intention to withdraw, and the need for him to retain new counsel.

I declare under penalty of perjury based on my information and belief that the above is true and correct.

Executed this 29th day of May, 2009, in Brooklyn, New York.

/s/ John C. Meringolo, Esq.

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